

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALVIN WASHINGTON,  
Plaintiff,

v.

SGT. MATTHEW SCHAPPELL, *et al.*,  
Defendants.

FILED  
AUG 08 2018  
KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

CIVIL ACTION NO. 18-CV-3322

**ORDER**

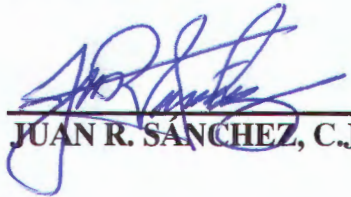
AND NOW, this 8th day of August, 2018, upon consideration of Plaintiff Alvin Washington's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 3), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915(b).
2. Washington, #LX-3049, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Washington, an initial partial filing fee of \$4.99 is assessed. The Superintendent or other appropriate official at SCI Houtzdale or at any other prison at which Washington may be incarcerated is directed to deduct \$4.99 from Washington's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-3322. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at SCI Houtzdale or at any other prison at which Washington may be incarcerated, shall deduct from Washington's account, each time that Washington's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of

the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-3322.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Houtzdale.
4. The Complaint is **DEEMED** filed.
5. The Complaint is **DISMISSED with prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum. Washington may not file an amended complaint in this matter.
6. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**



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JUAN R. SANCHEZ, C.J.